

BRYAN CAVE LLP  
Richard J. Schulman (RS 5512)  
1290 Avenue of the Americas  
New York, NY 10104-3300  
Attorneys for Plaintiff Brian T. Sullivan

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

BRIAN T. SULLIVAN,

Plaintiff,

v.

ALAIN KODSI; LOUIS GRECO; individually  
and as successor trustee of the GAMCREFK  
TRUST; the GAMCREFK TRUST;  
GEORGETTE KODSI; and RACHEL  
FOSTER, individually and as guardian of her  
children,

Defendants.

Case Number: 04 CV 3994 (GEL)  
ECF CASE

**DECLARATION OF RICHARD J. SCHULMAN  
IN SUPPORT OF APPLICATION FOR  
ADMISSION OF DAVID H. LATHAM  
*PRO HAC VICE***

**FILED**  
U.S. DISTRICT COURT  
2004 JUN 30 PM 3:24  
S.D. OF N.Y.

BRYAN CAVE LLP  
Richard J. Schulman (RS 5512)  
1290 Avenue of the Americas  
New York, NY 10104-3300  
Attorneys for Plaintiff Brian T. Sullivan

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

BRIAN T. SULLIVAN,

Plaintiff,

v.

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and as successor trustee of the GAMCREFK  
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GEORGETTE KODSI; and RACHEL  
FOSTER, individually and as guardian of her  
children,

Defendants.

Case Number: 04 CV 3994 (GEL)  
ECF CASE

**DECLARATION OF RICHARD J. SCHULMAN**

RICHARD J. SCHULMAN hereby declares, pursuant to 28 U.S.C. §1746, that:

1. I am Counsel to Bryan Cave LLP, attorneys for plaintiff BRIAN T.

SULLIVAN in this litigation, and make this Declaration in support of an application for the admission of David H. Latham to appear and participate in, as well as to argue and try, this action as counsel or advocate for Mr. Sullivan.

2. Mr. Latham is and has for over five years been representing Mr. Sullivan in connection with an action entitled *Brian T. Sullivan v. Alain Kodsi, et al.*, Cause No.

00 L 1973 (Cir. Ct. Cook County, Illinois) (the "Illinois Case"). The Illinois Case forms the basis for Mr. Sullivan's status as a creditor in this action.

3. I am advised and therefore believe that Mr. Sullivan has asked Mr. Latham to serve as counsel in this litigation because of Mr. Latham's familiarity with the legal and factual claims both in this lawsuit and in the Illinois Case.

4. Mr. Latham's accompanying affidavit sets forth pertinent information about his admissions to and good standing before the bar, as well as his familiarity with and willingness to be bound by the governing rules of practice and procedure, and the applicable standards of professional responsibility.

5. As a member in good standing of this Court since April 1972, I will be assisting Mr. Latham in his representation of the Bank. Since Bryan Cave LLP has an office within this District, I will be readily available for purposes of communicating with the Court and other counsel, and receiving papers served in this litigation.

6. Since this action was only filed on May 26, 2004, and is thus in its incipient stages, there will be no delay caused by admitting Mr. Latham *pro hac vice* at this time.

7. I am advised by Jonathan A. Willens, Esq. (counsel for all but one of the defendants in this action)\* that he will not object to this application.

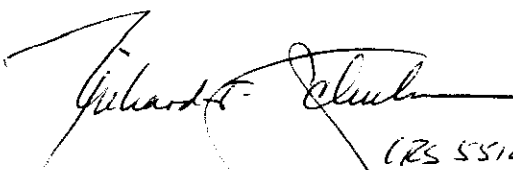
8. For these reasons, it is respectfully requested that an Order be entered allowing Mr. Latham to appear and participate in, as well as to argue and try, this litigation as counsel or advocate to Mr. Sullivan.

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\* The one defendant not yet represented by Mr. Willens has recently been served but has not yet appeared in the action.

I declare under penalty of perjury under the laws of the United States of America  
that the foregoing is true and correct.

Executed this 30<sup>th</sup> day of June 2004.

  
(RS 5512)  
\_\_\_\_\_  
RICHARD J. SCHULMAN

BRYAN CAVE LLP  
Richard J. Schulman (RS 5512)  
1290 Avenue of the Americas  
New York, NY 10104-3300  
Attorneys for Plaintiff Brian T. Sullivan

**UNITED STATES DISTRICT COURT  
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Defendants.

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Case Number: 04 CV 3994 (GEL)  
ECF CASE

**DECLARATION OF DAVID H. LATHAM  
IN SUPPORT OF APPLICATION FOR  
ADMISSION OF DAVID H. LATHAM  
*PRO HAC VICE***

BRYAN CAVE LLP  
Richard J. Schulman (RS 5512)  
1290 Avenue of the Americas  
New York, NY 10104-3300  
Attorneys for Plaintiff Brian T. Sullivan

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

BRIAN T. SULLIVAN,

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and as successor trustee of the GAMCREFK  
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children,

Defendants.

Case Number: 04 CV 3994 (GEL)  
ECF CASE

**DECLARATION OF DAVID H. LATHAM**

DAVID H. LATHAM hereby declares, pursuant to 28 U.S.C. §1746, that:

1. I respectfully submit this declaration in support of a request for admission pro hac vice in the above-referenced matter.

2. I graduated from the Loyola University School of Law - Chicago in 1988.

3. I was admitted to practice in the State Of Illinois by the Supreme Court of the State of Illinois on November 11, 1988 and assigned bar registration no. 06198792.

4. I was admitted to practice before the United States District Court for the Northern District of Illinois on January 11, 1989.

5. I was admitted to practice before the United States Court of Appeals for the Seventh Circuit on April 16, 1993.

6. I was admitted to practice before the Eastern District of Wisconsin on October 4, 1999.

7. I am currently in good standing and not under suspension in any of the courts in which I am admitted to practice. There are no disciplinary proceedings pending against me as a member of the Bar in any jurisdiction.

8. I have been representing Plaintiff Brian T. Sullivan ("Sullivan") for over five years as counsel of record in an action entitled Brian T. Sullivan v. Alain Kodosi, et al., Cause No. 00 L 1973 (Cir. Ct. Cook County, Illinois) (the "Illinois Case"). The Illinois Case forms the basis for Mr. Sullivan's status as a creditor in this case.

9. Mr. Sullivan has asked that I represent him in this case due to my familiarity with the legal and factual claims both in this case and in the Illinois Case.

10. I am familiar with and agree to abide by the governing rules of practice and procedure, and the applicable standards of professional responsibility.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed this 29<sup>th</sup> day of June 2004.

  
DAVID H. LATHAM



ATTORNEY REGISTRATION AND DISCIPLINARY COMMISSION  
of the  
SUPREME COURT OF ILLINOIS

One Prudential Plaza  
130 East Randolph Drive  
Chicago, IL 60601-6219  
(312) 565-2600 (800) 826-8625  
Fax (312) 565-2320

One North Old Capitol Plaza, Suite 333  
Springfield, IL 62701  
(217) 522-6838 (800) 252-8048  
Fax (217) 522-2417

David H. Latham  
Law Offices of David H. Latham  
150 N. Wacker Drive, Suite 1400  
Chicago, IL 60606

Chicago  
Wednesday, June 02, 2004

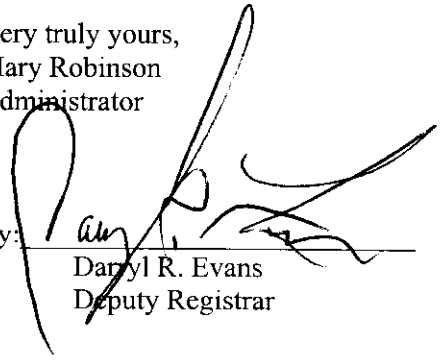
In re: David H. Latham  
Admitted: 11/10/1988  
Attorney No. 6198792

To Whom It May Concern:

The records of the Clerk of the Supreme Court of Illinois and of this office indicate that the attorney named above was admitted to the practice of law in Illinois; is currently registered on the master roll of attorneys entitled to practice law in this state; and has never been disciplined; and is in good standing.

Very truly yours,  
Mary Robinson  
Administrator

By:

  
Darryl R. Evans  
Deputy Registrar

DRE



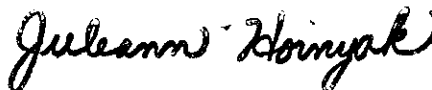
## **Certificate of Admission To the Bar of Illinois**

I, Juleann Hornyak, Clerk of the Supreme Court of Illinois, do hereby certify that

David H. Latham

has been duly licensed and admitted to practice as an Attorney and Counselor of Law within this State; has duly taken the required oath to support the CONSTITUTION OF THE UNITED STATES and of the STATE OF ILLINOIS, and also the oath of office prescribed by law, that said name was entered upon the Roll of Attorneys and Counselors in my office on November 10, 1988, and is in good standing, so far as the records of this office disclose.

In Witness Whereof, I have hereunto  
placed my hand and affixed the seal  
of said Supreme Court, at Springfield,  
in said State, this Wednesday, June 02, 2004.

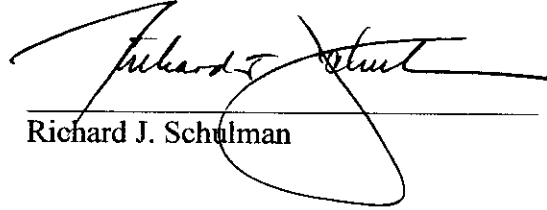
A handwritten signature in black ink, reading "Juleann Hornyak". The signature is written in a cursive, flowing style.

Clerk

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a true and correct copy of the foregoing Order and Supporting Documents were sent by means of e-mail on this 30th day of June 2004 to:

Jonathan A. Willens LLC  
217 Broadway, Suite 707  
New York, NY 10007  
Tel: (212) 619-3749  
Fax: (212) 879-7938  
e-mail: jawillens@briefworks.com



Richard J. Schulman

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Case Number: 04 CV 3994 (GEL)  
ECF CASE

**ORDER**

IT IS HEREBY ORDERED that David H. Latham is permitted to appear and participate  
in, as well as to argue and try, this litigation as counsel or advocate for plaintiff Brian T. Sullivan.

Dated: , 2004

ENTER,

\_\_\_\_\_  
HON. GERALD E. LYNCH  
UNITED STATES DISTRICT JUDGE